

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 6/30/05
Department Name: CEO
Department No.: 012
Agenda Date: 7/12/05
Placement: Administrative
Estimate Time: 2 hours on 7/19/05
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown
County Executive Officer

STAFF CONTACT: Jim Laponis, Deputy County Executive Officer
Lori Norton, Analyst

SUBJECT: Notice of Land Acquisition Application, date June 21, 2005, submitted by the Santa Ynez Band of Chumash Mission Indians, to the Department of Interior, Bureau of Indian Affairs, requesting that 13 parcels totaling approximately 5.68 acres be taken "into trust"

Recommendations:

That the Board of Supervisors set a hearing for 2 hours on July 19, 2005 to:

1. Receive a report on the Notice of (Non-Gaming) Land Acquisition Application, dated June 21, 2005, received from the Department of the Interior, Bureau of Indian Affairs (BIA), regarding a request, submitted by the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, for 13 parcels (Assessor's Parcel Numbers: 143-253-02, 143-253-07, 143-253-08, 143-254-01, 143-254-03, 143-253-04, 143-253-05, 143-253-06, 143-252-01, 143-252-02, 143-242-01, 143-242-02, 143-253-03) totaling approximately 5.68 acres to be taken into trust.
2. Authorize the Chair of the Board to execute and the County Executive Officer to submit a letter of comment to the BIA on the Land Acquisition Application, by July 24, 2005 (30 days from receipt of the Notice of Application by the County Executive Office).

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal No. 2. A Safe and Health Community in Which to Live, Work, and Visit; and Goal no. 5. A High Quality of Life for All Residents.

Executive Summary and Discussion:

On June 24, 2005, the County Executive Office received a Notice of (Non-Gaming) Land Acquisition Application, dated June 21, 2005, from the Department of the Interior, Bureau of Indian Affairs (BIA). This is a fee-to-trust application requesting that approximately 5.68 acres of land located adjacent to Highway 246, be placed "into trust".

The subject property consists of 13 parcels which are identified as follows: Assessor's Parcel Numbers: 143-253-02, 143-253-07, 143-253-08, 143-254-01, 143-254-03, 143-253-04, 143-253-05, 143-253-06, 143-252-01, 143-252-02, 143-242-01, 143-242-02 and 143-253-03.

Pursuant to the Code of Federal Regulations, Title 25, Indians, Part 151.10, 151.11, the BIA has requested the County comment on the following:

- 1) If known, the annual amount of property taxes currently levied on the subject properties allocated to the County;
- 2) Any special assessments and amounts thereof, that are currently assessed against the property in support of the County;
- 3) Any government services that are currently provided to the property by the County; and
- 4) If subject to zoning, how the intended use is consistent, or inconsistent, with current zoning.

To be considered by the BIA, comments must be received within thirty days of receipt of the Application by the County Executive Office. An extension of time to furnish comments may be granted by the BIA provided a written justification requesting such an extension is submitted to the BIA within 30 days of receipt of the Application. As with previous Applications received, staff has submitted a written request for an extension of time (up to 30 days may be granted by the BIA) to provide comments on the Application.

Staff from the County Executive Office, County Counsel, Planning and Development as well as line departments whose services may be impacted by the Application are preparing a comment letter for review by the Board on July 19. Unless an extension of time is granted by the BIA, comments on the Application must be received by the BIA no later than July 24, 2005.

Mandates and Service Levels:

The current, prior and potential future Land Acquisition Applications result in off-reservation impacts on the Santa Ynez Valley communities and along Highway 246. Since the fee-to-trust application does not identify proposed development for these parcels, specific impacts to County service levels are unknown.

Fiscal and Facilities Impacts:

Removing these lands from County jurisdiction will result in a loss of property tax revenue and the potential loss of sales tax revenue that might be generated from future commercial development on these parcels. The projected loss of property and sales tax will be quantified for the Board at the hearing on July 19, 2005. Further, the impacts of this Application should be analyzed within the broader context of prior, current, and anticipated Applications in order to assess the cumulative impacts to County service levels and the surrounding community.

C: Shane Stark, County Counsel

Jennifer Klein, County Counsel

Ron Cortez, Deputy County Executive Officer

Dianne Meester, Planning and Development Assistant Director

Jim Andersen, Sheriff

John Scherrei, Fire Chief

Tom Franklin, Fire Division Chief

Phil Demery, Public Works Director

Vincent Armenta, Chairman, Santa Ynez Band of Mission Chumash Indians